

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, October 3, 2000
Tuesday, 9:03 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

David Kimble, Baha'i .gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of September 26, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

PROCLAMATIONS

Proclamations previously approved were presented.

PUBLIC AGENDA

Philip Gray – Odor on 21st Street.

Philip Gray

Philip Gray, Riverside area resident, inquired whether the meat rendering plant might be in violation of an odor ordinance.

Council Member Cole

Council Member Cole said the Health Department checks for odor compliance and, unless the ordinance is changed, the packing plant is in compliance.

Philip Gray

Philip Gray requested information on when the Health Department had done inspections.

Gary Rebenstorf

Director of Law explained that an ordinance cannot be enacted that will put a company out of business.

Mayor Knight

Mayor Knight said the Health Department would provide Mr. Gray with information regarding inspections.

No further action was taken.

NEW BUSINESS

PAVING ALLEY

PETITION TO PAVE THE NORTH-SOUTH ALLEY BOUNDED BY WASHINGTON, IDA, MORRIS, AND GILBERT. (District I)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-0965.

The signatures on the Petition represent 2 of 11 (18.2%) resident owners and 54.7% of the improvement district area. The project was discussed and approved by the District I Advisory Board on September 18, 2000.

The alley is an unimproved sand road that provides access to a mixed-use area.

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The project budget contained in the Petition is \$75,000 with the total assessed to the improvement district. The method of assessment is the square foot basis. The estimated rate of assessment is \$00.55 per square foot of ownership.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Rogers moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-00-351

Resolution of findings of advisability and Resolution authorizing improving of the north-south alley between Washington and Ida, from Morris to Gilbert, 472-83284, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Rogers moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

IRB-AIRTECHNICS, INC. REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – AIRTECHNICS, INC. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0966.

Airtechnics, Inc. (Airtechnics) is requesting the issuance of a one-year Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$4.3 million. Bond proceeds will be used to finance the construction of a new manufacturing, warehouse, administrative, and sales facility and the acquisition of equipment and furniture. Airtechnics is also requesting the City Council's approval of a 100% five-plus-five-year tax exemption on plant and equipment. The new facility will be located at 38th St. North and Webb Road.

Airtechnics, founded in 1957, is a manufacturer and distributor of eletromechanical component parts for the aircraft industries, such as switches, relays and circuit breakers. The company sells its product throughout the United States and overseas. Airtechnics, Inc. has sales offices in California, Florida, Indiana, Texas, New York, England. All manufacturing is done at the Wichita facility.

Airtechnics currently has a total of 107 employees, 75 of which are located in Wichita, and has committed to hire 50 new employees (in Wichita) over the next four years. The new 62,000 SF facility will support consolidation of all Wichita-based operations as well as provide room to support future growth. The new facility will house the administrative and sales offices, warehouse, and manufacturing space.

An analysis of the uses of project funds is:

USES OF FUNDS

Construction Costs	\$3,600,000
Furnishings	200,000
Equipment, Computer Hardware and Software	475,000
Issuance Costs	<u>25,000</u>

Total Cost of Project: \$4,300,000

Airtechnics plans to privately place the bonds with a financial institution. Airtechnics agrees to comply with the City's requirements contained in the Standard Letter of Intent Conditions. The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

City	1.95
State	3.64
County	1.59
USD 375	1.23

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Airtechnics, Inc. agrees to pay all costs of issuing the bonds and the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Business Incentive Policy, Airtechnics, Inc. qualifies for a 100% five-plus-five-year tax exemption on plant and equipment financed with bond proceeds.

Bond documents needed for the issuance of bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotta moved that the public hearing be closed, the Letter of Intent to Airtechnics, Inc. for Industrial Revenue Bonds in an amount not-to-exceed \$4,300,000, for a one-year term and subject to the Standard Letter of Intent conditions, be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

IRB-KS. BLUE PRINT

REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – KANSAS BLUE PRINT, INC. (District I)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0967.

Kansas Blue Print, Inc. (Kansas Blue Print) is requesting the issuance of a one-year Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$2 million. The bond proceeds will be used to finance the cost of acquiring, constructing and equipping its expanded plant facility. The new facility will be located at the corner of Kellogg and Broadway. Kansas Blue Print is also requesting tax exemption on property purchased and constructed financed with bond proceeds.

Kansas Blue Print is a printing and copying business. The Company's reprographics division serves the needs of architectural, engineering, manufacturing, retail, legal and advertising firms. The company also produces the City of Wichita map and maps for the petroleum industry, which include landowner maps for the State of Kansas.

Kansas Blue Print currently has a total of 32 employees and has committed to hire at least 12 new employees in Wichita over the next four years. Kansas Blue Print is evolving into a highly technical operation as digital printing and computers replace many of the older process. The new 15,000 SF facility will be 50% larger and will be located within the downtown area.

An analysis of the uses of project funds is:

USES OF FUNDS

Land	\$ 190,000
Building	1,500,000
Equipment	250,000
Costs of Issuance	<u>25,000</u>
Miscellaneous	35,000

Total Cost of Project: \$2,000,000

Kansas Blue Print plans to privately place the bonds with INTRUST Bank. Kansas Blue Print agrees to comply with the City's requirements contained in the Standard Letter of Intent Conditions. Wichita State University Center for Economic Development and Business Research conducted a cost-benefit analysis with the following results:

City	3.11 to one
County	2.60 to one
USD 259	2.04 to one
State	12.30 to one

Kansas Blue Print, Inc. agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Business Incentive Policy, Kansas Blue Print, Inc. qualifies for a 70% five-plus-five-year tax exemption on property purchased with bond proceeds, based on new employment capital investment and location in a redevelopment target area.

Bond documents needed for the issuance of bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

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Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Rogers moved that the public hearing be closed; the Letter of Intent to Kansas Blue Print, Inc. for Industrial Revenue Bonds in an amount not-to-exceed \$2,000,000, subject to the Standard Letter of Intent conditions, for a six-month term be approved; and a 7-year, 70 percent, property tax exemption, be granted; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

JR CUSTOM METAL

TAX EXEMPTION REQUEST – JR CUSTOM METAL PRODUCTS, INC. (District IV)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-0968.

On August 10, 1999, City Council approved a tax exemption under the authority of the constitutional amendment for JR Custom, a manufacturer of metal fabricated products and equipment, located at 2237 S. West Court. in southwest Wichita. The tax exemption was requested in conjunction with an expansion project consisting of the construction of office and manufacturing space and the purchase of new machinery and equipment. As a result of sustained growth in sales, JR Custom is now requesting the City of Wichita to approve an Economic Development Tax Exemption on additional manufacturing equipment in the amount of \$701,225, with an ongoing expansion of their facility.

JR Custom was established in 1974 and has experienced continued growth since inception of the business. JR Custom designs, manufactures, modifies, and repairs high precision custom metal products. JR Custom's products are designed primarily for the agricultural, general construction, and aviation industries. JR Custom focuses its manufacturing capacity primarily on custom and specialty metal designs.

JR Custom currently has over 100 employees and expects to add at least 16 new full-time employees over the next five years. The new \$701,225 expansion project will be a major investment for the company and is expected to enhance production efficiency and volume.

The expansion project is reflected in Exhibit I attached hereto. Under the City's Business Incentives Policy, JR Custom is eligible for the following:

TAX EXEMPTION ELIGIBILITY

<u>ELIGIBLE %</u>	<u>INCENTIVE</u>	<u>EXPLANATION</u>
31.00%	New Job Creation:	JR Custom will add at least 16 new full-time jobs.
<u>12.00%</u>	Capital Improvements:	JR Custom will invest approximately \$701,225
43.00%	Total Business Incentives	
43.00%	TOTAL ELIGIBLE - BUSINESS INCENTIVES (Max. allowed is 50%)	
45.00%	Export Premium:	JR Custom exports 90% of its product outside Kansas.
<u>45.00%</u>	TOTAL ELIGIBLE FOR EXPORT PREMIUM (Maximum allowed is 50%)	
88.00%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

JR Custom is eligible for a 88% tax exemption for five years on personal property. A notice of public hearing has been published. JR Custom will maintain a City of Wichita approved EEO/AA Plan for the full term of the Tax Exemption.

The estimated first year taxes on JR Custom's proposed \$701,225 project under the 2000 mill levy on property within the Wichita City limits would be \$14,892. The tax exemption will be shared among the taxing entities as follows: City - \$4,718; County/State - \$4,537; and USD 259 - \$5,637. Wichita State University Center for Economic Development and Business Research calculated a cost-benefit-analysis indicating benefit-to-cost ratios of 2.90 for the City of Wichita; 2.81 for Sedgwick County; 2.94 for USD 259 and 2.57 for the State of Kansas.

The City Attorney's Office will review and approve the documents as to form prior to the adoption of the Ordinance.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Gale moved that public hearing be closed and the Ordinance granting a 88% tax exemption on personal property improvements for a five-year term be placed on first reading. Motion carried 7 to 0.

-- carried

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ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of JR Custom Metal Products, Inc., so exempted, introduced and under the rules laid over.

SPRINKLER ORD.

ORDINANCE CHANGES: LAWN SPRINKLING CODE (TITLE 17) – REPEAL OF SURETY BOND REQUIREMENTS FOR LICENSED LAWN SPRINKLER CONTRACTORS.

Kurt Schroeder

Office Central Inspection Superintendent reviewed the Item.

Agenda Report No. 00-0969.

On July 5, 2000, the Board of Appeals of Plumbers and Gas Fitters unanimously recommended that Section 17.08.015 be amended to eliminate the surety bond filing requirement.

In November of 1999, the City Council repealed a similar surety bond requirement for licensed electrical contractors.

General liability insurance is now required for all contractors eliminating the necessity for licensed lawn sprinkler contractors to file surety bonds with the City.

There are no changes to contractor license fees and there is no effect on Office of Central Inspection revenues.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending Section 17.08.015 of the Code of the City of Wichita, Kansas, and repealing the originals thereof; all pertaining to the Lawn Sprinkling Code of the City of Wichita, Kansas, introduced and under the rules laid over.

WATER SUPPLY

WATER SUPPLY PLAN PROJECTS.

David Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 00-0970.

On August 31, 1993, the City Council approved a Water Supply Plan prepared by Burns and McDonnell/MKEC Engineering Consultants. The Plan identified cost-effective water resources projected to meet the City's water needs into the future. During the planning period the population using City water is predicted to increase from the current 350,000 to 570,000; and water supply needs are predicted to increase correspondingly. Average day water demands will increase from the current 62 million gallons per day (MGD) to 120 MGD. Peak day demands will increase from 125 MGD to 223 MGD. In 1995, the City Council approved the Equus Beds Recharge Demonstration Project. The purpose of the Recharge Demonstration Project was to determine if excess flows in the Little Arkansas River can be used to recharge the Equus Beds Wellfield. The recharge concept is a key element in the Water Supply Plan.

Based on the water rights the City currently owns in the Equus Beds Wellfield, Cheney Reservoir, and the local E and S wells, the water use projections predict that average day water demands will exceed the City's water supply by the year 2015; peak day demands will exceed supplies by the year 2026. When those deficits are projected through the year 2050, the City will need an additional 22 MGD to meet average day demands, and an additional 28 MGD to meet peak day demands. (These totals assume a 10% reduction in demand caused by the implementation of water conservation practices). Without water conservation, average day demands would increase to 133 MGD, and maximum day demands would increase to 265 MGD by the year 2050. These average day demands could exceed the City's supplies by about the year 2004, and peak day demands could exceed supplies by the year 2006.

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The main objectives of the Recharge Demonstration Project have now been completed. The "Concept Design Study of the Equus Beds Aquifer Recharge, Storage and Recovery Project" that is being presented to the Council has used the results of the Demonstration Project to develop recommendations for the full-scale operational facility needed to implement the proposed Water Supply Plan.

Concept Design Recommendations: The proposed Recharge Demonstration Project has successfully demonstrated that water from the Little Arkansas River can be used to recharge the Equus Beds Aquifer. The City's consulting engineers have taken the data collected (from the demonstration project) and used it to develop an operations model to evaluate the effectiveness of various recharge options. Preliminary evaluations determined that recharge facilities with a capacity of either 100 MGD or 150 MGD could be used to meet the City's water supply needs through the year 2050. With either of these capacities it would take approximately 10 years to recharge the Equus Beds. After considering various combinations of "bank storage" wells and surface water facilities, the Plan recommends an aquifer storage and recovery (ASR) system with a capacity of 100 MGD. It also recommends that 75 MGD obtained from "bank storage" wells and 25 MGD from the Little Arkansas River.

The Plan recommends the following projects be constructed to implement the ILWS Plan over the next 50 years:

- ? Develop a 100 MGD ASR project, with 75 MGD from bank storage wells and 25 MGD from surface water from the Little Arkansas River
- ? Install index wells in the wellfield.
- ? Redevelop the Bentley Reserve Wellfield.
- ? Expand the Local Wellfield
- ? Install additional raw water pipelines to transport water from the wellfield.
- ? Develop a new water treatment plant in the northwest portion of the City.
- ? Continue water conservation and demand management programs.

The various components of the ILWS Plan work together to provide water under a variety of weather and demand conditions. Construction of all of the components will not be completed until approximately 2045. The estimated cost to construct the ILWS Plan is \$283.5 million. When the Water Supply Plan was completed in 1993, it estimated that the ILWS Plan would cost \$237 million. When the current recommendations are adjusted to 1993 dollars, the cost is \$223 million, which is somewhat less than the original plan.

The 1993 Water Supply Plan evaluated 27 different water supply alternatives. After a thorough comparison of those alternatives, the two best plans were to either use: (1) water from Milford Reservoir; or (2) to develop the various components of what the ILWS Plan. Because of lower costs, beneficial environmental impacts, and anticipated geographical potential opposition, the Water Supply Plan recommended the ILWS Plan option. The Water Supply Plan estimated that the Milford Reservoir project would cost \$322 million. Based on those original estimates, and using 1993 dollars, the recommended ILWS Plan is approximately \$100 million less than the Milford alternative.

Projects; In order to begin implementation of the ILWS Plan and assure that adequate water supplies are available as the City's water demands increase, Staff recommends that the following projects be initiated. Individual contracts for engineering services and construction will be brought to the City Council for consideration and action.

1. The Equus Beds ASR, Phase I - The Equus Beds ASR Project must be operated with the other components in the ILWS Plan to meet projected 2050 water demands. The project will recharge an existing depression in the Equus Beds Aquifer that has been caused by over-pumping. Water recharged to the aquifer will provide an additional water supply than can be used during extended dry weather periods. Recharging the aquifer will also help protect the water quality in the aquifer by reducing the inflow of high chloride water from the Arkansas River and the old Burrton oil fields. Higher water levels in the aquifer will also reduce pumping costs for property owners who use the aquifer for the irrigation of agricultural land.

The Plan recommends that a project with 100 MGD of capacity be developed. The estimated cost for the entire ASR project is \$110 million, with annual operation and maintenance costs of \$1.5 million per year. It is recommended that only Phase I of the project be initiated at this time. Phase I will have the capacity to capture and recharge 10 MGD. It will serve as a prototype project, and information gathered from the construction and operation of this phase will be used to optimize the construction of the remaining phases. Estimated Cost - \$17.1 million.

2. Index Wells – Index wells are needed in order to measure the existing water quality of aquifer, and monitor changes in water levels and water quality as the aquifer is recharged. A total of 90 monitoring wells (one shallow and one deep) will be constructed at 45 sites. Estimated cost - \$600,000.

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3. Redevelopment of Bentley Reserve Wellfield – At one time, the City had water supply wells (at a site) adjacent to the Arkansas River south of Bentley. Those wells were abandoned because of the high chlorides, or salt, in that water. The Plan recommends that new wells be constructed at this site to provide water during peak summer days. While the water would still be salty, during peak summer days it can be diluted enough that it would not affect the City's water quality. It is projected that 10 MGD of water can be obtained from this source. Estimated Cost - \$1,250,000.

4. Local Wellfield Expansion, Phase I – The ILWS has determined that excess flows in the Little Arkansas River can also be captured by building additional wells in Wichita. The expanded local wellfield will include wells adjacent to the Floodway near 37th St. N., and also wells in the parks adjacent to the Little Arkansas River. It is anticipated that these additional wells could deliver up to 37 MGD to the water treatment plant during periods of high flow in the river. The estimated cost for the entire project is \$16 million. It is recommended that Phase I of the project be initiated at this time. Phase I will have the capacity to capture 7 to 10 MGD and will serve as a prototype project, and information gathered from the construction and operation of this phase will be used to optimize the construction of the remaining phases. Estimated Cost - \$5.4 million.

5. Raw Water Pipeline, Easement – An advantage of the ILWS Plan (over the Milford Reservoir Project), is that the water supply components can be constructed as the City's water demands grow. As additional water is transported from the Equus Beds, additional raw water pipeline capacity will be needed. The Plan recommends an additional 66" pipeline from near 101st St. N. and Ridge Rd. to the site of the future water treatment plant at 21st St. N. and Hoover. The area north of the water treatment plant site is now starting to develop, and it is recommended that the City start acquiring land as an easement for the future water line. The water line may not be needed until after 2025, but by then it may be extremely difficult to acquire the needed easements. It is recommended that a project to acquire pipeline easement for the first five miles of pipeline be initiated. Estimated Cost - \$1,200,000.

Following the completion of the initial designs for the various improvements, Staff will utilize "value engineering" to review the proposed designs for potential savings and improvements.

Staff has identified two alternatives:

- A. Approve the Integrated Local Water Supply Concept Design Study, and authorize staff to begin implementing the projects included in the Plan.
- B. Cease all activities associated with the Integrated Local Supply Plan, and pursue other options discussed in the Water Supply Plan.

Implementation of the recommended projects is estimated to cost \$80 million over the next five years. These projects are identified in the CIP as W-549, W-806 and W-807. The projects will be funded from a combination of cash, revenue bond proceeds and Federal grants. The cost of these projects will increase water rates to the average residential customer by 19% over the next 10 years. Staff believes that this will still leave Wichita's water cost below the national average.

The City's Administrative Regulations require that projects with costs in excess of \$10,000 be submitted to the City Council to initiate the project. Contracts for engineering services or other aspects of these projects will be brought to the City Council for consideration and action as required.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that projects and implementation of the plan be authorized. Motion carried 7 to 0.1

HEALTH INSURANCE

2001 EMPLOYEE HEALTH INSURANCE.

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 00-0971.

The City's health insurance programs for medical and prescription drugs expire December 31, 2000. Finance/Risk Management issued a Request for Information (RFI) on Medical to ascertain how many interested providers were available who could meet the City's requirements. Based on an analysis of the responses to the RFI and upon consultation with the Labor-Management Health Insurance Advisory Committee, cost proposals were solicited from the two medical networks capable of meeting the City's needs – Premier Blue offered by Blue Cross/Blue

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Shield of Kansas (BC/BS) and Preferred Plus of Kansas (PPK) offered by Preferred Health Systems affiliated with Via Christi. Finance/Risk Management also issued a Request for Proposals (RFP) for prescription drugs network and administration (the City is self-insured as to actual benefits).

Finance/Risk Management and the Health Insurance Advisory Committee have jointly evaluated the proposals for medical insurance coverage. It is the unanimous recommendation of the group that the proposal of PPK be selected. The level of benefits between the two plans are comparable, and both offer a self-referral option for those who choose to go outside of network. BC/BS offered only a one-year contract at a 9.4% increase in premium. PPK offered a three-year contract with the first year cost increase of less than 2%, and the second and third year rate increases capped at not-to-exceed 8% each year. It will be necessary for some employees and dependents to change primary care physicians.

It remains to select a Prescription Benefit Manager, PBM, (self-insurance of benefits would continue). A total of nine proposals were submitted and are currently under evaluation. The Health Insurance Advisory Committee reviewed summary information on the nine proposals and directed Finance/Risk Management to conduct a detailed review and select the proposal best meeting the needs of the City and employees. The proposed administrative fees of the potential PBM will account for less than 1/2 of 1% of the City's prescription drug costs.

The vision coverage and rates remain unchanged from 2000 to 2001. To date, experience with the provider, Vision Service Plan, has been satisfactory.

The table on the next page summarizes the rate changes for all health insurance costs. It assumes a 25% increase in prescription drug costs pending final selection of a network and plan administrator.

COMPARISON MEDICAL INSURANCE PROPOSALS

	<u>2000</u>		<u>2001 Proposals</u>			
	<u>BC/BS Rates</u>		<u>PPK</u>		<u>BC/BS</u>	
	Single	Family	Single	Family	Single	Family
Medical	147.92	446.31	150.46	454.57	161.82	488.26
Rx Drugs	45.94	103.60	57.43	129.50	57.43	129.50
Vision	<u>5.94</u>	<u>15.99</u>	<u>5.94</u>	<u>15.99</u>	<u>5.94</u>	<u>15.99</u>
Total	199.80	565.90	213.83	600.06	225.19	633.75
Percent Increase			7.0%	6.0%	12.7%	12.0%

The cost of the proposed rates for health insurance coverage is included within the budgeted amounts for the 2001/2000 City Budget.

The contracts for insurance will be subject to review and approval as to legal form by the Department of Law.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that health and vision contracts, as proposed, be approved and executed; and Staff be authorized to negotiate with and select the Prescription Benefit Manager. Motion carried 7 to 0.

CITY COUNCIL AGENDA

CANCEL MEETING

CANCELLATION OF OCTOBER 10, 2000, CITY COUNCIL MEETING.

City Council members will be attending the League of Kansas Municipalities annual meeting.

Motion -- carried

Knight moved that the October 10, 2000, City Council meeting be cancelled. Motion carried 7 to 0.

APPOINTMENTS

BOARD APPOINTMENTS.

Motion --
-- carried

Lambke appointed Jim Skelton to District III Advisory Board and moved that the appointment be proved. Motion carried 7 to 0.

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PROCLAMATIONS

PROCLAMATIONS:

Motion – carried

Knight moved that the Proclamations be authorized. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED OCTOBER 2, 2000.

Bids were opened September 29, 2000, pursuant to advertisements published on:

K-96 Bicycle/Pedestrian Path through Chisholm Creek and along K-96 from Oliver to the east City limits – K-96, Oliver to east of Webb Road. (235-87 TE-0072-01/472-82675/706325/405186) Traffic to be maintained during construction using flagpersons and barricades. Districts I & II)

Ritchie Paving - \$630,827.42

Paving Bullinger from 120' north of the north line of 26th Street North to the south line of 27th Street North to serve Northwest Heights, Quaker Heights, and Bullinger Gardens Addition to serve Northwest Heights, Quaker Heights, and Bullinger Gardens Additions - south of 27th Street North, west of Meridian. (472-83210/765629 /490740) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Cornejo & Sons Construction - \$55,680.75

Pepper Ridge, from the south line of Lot 1, Block 5, to the north line of Lot 11, Block 5; Pepper Ridge Courts serving Lots 45 through 50, Block 1, and serving Lots 51 through 59, Block 1, and; Sidewalk on the east side of Pepper Ridge from the south line of Lot 1, Block 5, to the north line of Lot 11, Block 5 to serve Forest Lakes West to serve Forest Lakes West - north of 29th, east of Tyler. (472-82872/765649/490760) Does not affect existing traffic. (District V)

Ritchie Paving - \$188,454.50

Sheridan from the north line of Douglas to the south line of Second Street; Mt. Carmel from the east line of Sheridan to the south line of 1st Street; 1st Street from the east line of Sheridan to the west line of St. Paul Avenue, and; Sidewalks on one side of each street to serve Woodlake second Addition to serve Woodlake Second Addition - north of Douglas, east of Sheridan. (472-83238/765637/490748) Does not affect existing traffic. (District IV)

Kansas Paving Company - \$283,836.85

Water distribution system to serve Huntcrest Second Addition to serve Huntcrest Second Addition - south of Harry, east of Webb. (448-89397/734977 /470647) Does not affect existing traffic.(District II)

McCullough Excavation - \$7,953.80

Sanitary sewer reconstruction in connection with paving 26th Street North to serve Ramsey's Replat & F.C. McTaggart's Addition to serve Ramsey's Replat & F.C. McTaggart's Addition - south of 29th St. North., east of Arkansas. (468-83121/620287/660412) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

WB Carter Construction - \$31,546.00

Lateral 166, Sanitary Sewer #22 to serve Bullinger Gardens to serve Bullinger Gardens - west of Bullinger, south of 27th Street North. (468-83086/743834 /480522) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

McCullough Excavation - \$9,327.00

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Lateral 32, District E, Sanitary Sewer No. 12 to serve Power C.D.C. Addition to serve Power C.D.C. Addition - south of 21st, west of Grove - (468-83055 /743847/480535) Does not affect existing traffic. (District I)

McCullough Excavation - \$2,499.87

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Radiator Services. (130807)

Lubbers Machine & Radiator - \$40.00* (Item 1/per each)
\$30.00* (Item 2/per each)
\$15.00* (Item 3/per each)
\$45.00* (Item 4/per hour)
\$45.00* (Item 5/per hour)
\$45.00* (Item 6/per hour)

*Net 30. 45% discount from price list on cores installed.

PARK DEPARTMENT/RECREATION DIVISION: Playground Equipment and Installation at the Law Enforcement Training Center. (785790)

Little Tikes Commercial Play Systems - \$24,411.20 (Lump sum total)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMB LICENSES

APPLICATIONS FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Dennis H. Grady	Wichita Canteen Company, Inc.*	1845 Fairmount
Mary Mena	El Salvador Restaurant*	627 East 47th Street South

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion – carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no sub-division plans and specifications submitted.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

a) Taft Avenue from the east line of Julia to the west line of Hoover Street; Hoover Street from the north line of Taft Avenue south approximately 225 feet to the existing pavement, and Sidewalk along one side of Taft Avenue and one side of Hoover Street to serve West Kellogg Power Center Addition - north of Kellogg, west of Hoover. (472-82757/765610/490721) Traffic at intersection of Taft and Julia shall be maintained through construction. (District V) - \$510,200.00

b) Rutgers from Sterling to Central Park and from Central Park to Ryan; on Ryan from the west line of Parkdale to Rutgers; on Central Park from the west line of Parkdale to Rutgers; on Ryan Circle from the west line of Rutgers to and including the cul-de-sac; on Rutgers Court from the west line of Rutgers to and including the cul-de-sac; on Sterling from the west line of Rutgers to the west line of Lot 1, Block 2; on Sterling/Parkdale from the south line of Lot 40, Block 4, to the south line of Lot 21, Block 5; and on Parkdale from the south line of Sterling/Parkdale to the south line of Lot 26, Block 5; and Sidewalk along the west and north side of Rutgers/Central Park; on the west side of Sterling/Rutgers and the east side of Parkdale from the south line of Lot

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11, Block 7, to Parkdale to serve Evergreen Addition - north of 21st Street, west of Maize Road. (472-83255/765644/490755) Does not affect existing traffic. (District V) - \$685,000.00

c) Tyler, 965 feet north of Central to 225 feet south of 13th Street North - 9th and Tyler. (472-83169/706790/132282/200244) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$530,452.89

d) Water distribution system to serve Woodlake Second Addition - north of Douglas, east of Sheridan. (448-89474/734971/470641) Does not affect existing traffic. (District IV) - \$124,000.00

e) Water distribution system to serve Forest Lakes West Addition - north of 29th, east of Tyler. (448-789204/734984/470654) Does not affect existing traffic. (District V) - \$47,450.00

f) Water distribution system to serve property on either side of Hydraulic from 57th Street South to 63rd Street South - Hydraulic north of 63rd Street South. (448-89423/734944/635625/470614/760685) Traffic to be maintained during construction using flagpersons and barricades. (District III & IV) - \$1,719,337.50

g) Lateral 383, Southwest Interceptor Sewer to serve Forest Lakes West Addition - north of 29th, east of Tyler. (468-82768/743854/480542) Does not affect existing traffic. (District V) - \$52,000.00

h) Lateral 39, District A, Sanitary Sewer No. 21 to serve Woodlake Second Addition - north of Douglas, east of Sheridan. (468-83112/743841/480529) Does not affect existing traffic. (District IV) - \$200,000.00

i) McLean Boulevard, Phase V - Brick Pavers under US 54 Overpass - north of Lincoln, east of Seneca. (472-82586/706168/405170) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$80,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

a) Quitclaim Deed of Easement dated September 18, 2000 from Central Kansas Railway, L.L.C., a Colorado limited liability corporation, for an electrical easement on a tract of land from the railroad property commencing at MP 7.45, Wichita Subdivision, westerly to MP. 9.52, Wichita Subdivision, Sedgwick County, Kansas (Kellogg Freeway, OCA # 702231). No cost to City.

b) Sanitary sewer easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in the East Substation Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306) (No cost to City).

c) Sanitary sewer easement from the City of Wichita, Kansas, a Municipal Corporation, for a tract of land in Roman Numeral II in Block J, McAdam Acres Second, an Addition to Wichita, Sedgwick County, Kansas (War Industries Phase III Relief Sewer, OCA # 623306) (No cost to City).

Motion --
-- carried

Knight moved that the documents be received and filed and the necessary signatures be authorized. Motion carried 7 to 0.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Community Service Block Grant Review Committee, 8-8-2000
Metropolitan Area Planning Commission, 8-17-2000
Community Service Block Grant Review Committee, 8-30-2000
Metropolitan Area Planning Commission, 9-7-2000

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

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STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No.00-0996.

In accordance with the Special Events Procedures, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The City of Wichita, the Arts Council and several arts and humanities venues in Wichita are hosting the first ever Arts and Humanities Daze. This event is aimed at showing off the many arts and humanities events that happen regularly in this community.

For Streetscape Event:

Close Douglas, from Main to Broadway from 4:00 – 10:00 p.m.

Friday, October 6, 2000

For Fireworks Event:

Close McLean, from Taft to Douglas 6:00 p.m. – 10:30 p.m.

Close Maple, from Sycamore to Wichita, 8:00 – 10:00 p.m.

Friday, October 6, 2000

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

RESPREAD SPECIALS

AGREEMENT TO RESPREAD ASSESSMENTS - REECE FARMS ESTATES. (District V)

Agenda Report No. 00-0973.

The landowners, Triple J. Development, LLC; Craig Stuart Homes, Inc.; Don Klausmeyer Construction, L.L.C.; Michael M. and Michelle L. Miller; William and Kathryn L. Kopf; Charles R. and Mary Lou McGehee; Michael and Kathleen M. Ledoux; David and Karen Warn; Mike Hampton Construction, Inc.; Bobby L. and Sherri R. Flippo; Eck & Lies Construction, Inc. and Castlewood Homes, Inc. have submitted an Agreement to respread special assessments within their ownership in Reece Farms Estates.

The land was originally included in an improvement district for a paving project. The purpose of the Agreement is to respread special assessments on an equal share basis for each lot and more fairly distribute the cost of the improvement, also making it easier for the developer to market the remaining lots.

There is no cost to the City.

Motion --

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

RESPREAD SPECIALS

AGREEMENT TO RESPREAD ASSESSMENTS – RIDGE PORT THIRD ADDITION. (District V)

Agenda Report No. 00-0974.

The developer, RRGNL, LLC, platted Ridge Port 3rd Addition and has submitted an Agreement to respread special assessments.

The land was originally included in numerous improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread special assessments on an equal share basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis. The Agreement will equalize the assessments for each lot, making it easier for the developer to market the lots.

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There is no cost to the City.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

EASEMENT

EASEMENT ENCROACHMENT AGREEMENT. (District V)

Agenda Report No. 00-0975.

The agreement allows Ashley Park Home Owners Association to occupy and construct for Lot 47, Block 3, and Lot 1, Block 4, Ashley Park Addition, improvements on, over, and across, the aforesaid public easement described as a 20 ft. utility easement adjacent to and southerly of a 5 ft. screening wall easement which is adjacent to the north property lines of Lot 47, Block 3, and Lot 1, Block 4, Ashley Park Addition, hereinafter referred to as Tract "A" and waives all right of action in law arising out of the encroachment into the easement. The improvement is concrete signage approximately 29 ft. in length on each side of Brown Thrush Street right-of-way, within the existing wall easement and encroaching approximately 9 ft. into the existing 20 ft. utility easement.

The agreement allows the City to be held harmless from any and all claims resulting from leaking, cave-in, or failure, of said sewer line lying within or adjacent to Tract "A", and from claims resulting from replacement or upgrade of lines, manholes, and/or other department property within or adjacent to the easement.

There are no financial considerations.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

MUNICIPAL COURT

MUNICIPAL COURT ACCOUNTS RECEIVABLE COLLECTIONS.

Agenda Report No. 00-0976.

For the past three years, Municipal Court has contracted with the Gila Corporation d/b/a Municipal Services Bureau for collection of court fines and costs in delinquent accounts. On a monthly basis, the City outsources from 900-1300 delinquent cases with average balances of \$300-\$380. The age of the account since the last payment is 30 days. The proposed vendor will continue collection of cases previously assigned. Currently, the City processes about \$30,000-\$45,000 each business day inclusive of delinquent and non-delinquent accounts.

The City of Wichita requested proposals from qualified businesses to provide a detailed operational plan that demonstrates capability to assume responsibility for collecting delinquent revenue for the City. Responses were received from six vendors. Gila Corporation, d/b/a Municipal Services Bureau was selected. Municipal Services Bureau is a collection agency based in Austin, Texas, which specializes in collections for municipal courts. Cost to the City of Wichita for collection services was lowered from 22.5% to 22% of collected amounts, with a guaranteed minimum recovery rate of 13%. The average percentage collected by MSB for the past three years was 14.25%.

These commissions are budgeted in the Municipal Court operating budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

HISTORIC PRES.

KANSAS STATE HISTORIC PRESERVATION OFFICE.

Agenda Report No. 00-0977.

The current Performance of project reviews under K.S.A. 1995 Supp. 75-2724 expires November 10, 2000 and the new document will extend the project reviews for another 5 year period. This agreement delegates the review responsibilities for all state/national register listed properties and all environs reviews to be performed by the City of Wichita Historic Preservation Board. This agreement provides appeal to the City Council of HPB determinations.

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From July 1, 1999 through June 30, 2000, the Historic Preservation Board reviewed and processed 77 cases under the auspices of the current agreement. Without the Agreement between the Kansas State Historic Preservation Officer and Local Governments in Kansas: Performance of project reviews under K.S.A. 1995 Supp. 75-2724, these cases would be reviewed by the State Historic Preservation Office. This agreement allows for project review locally and in a timely manner.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - EAST KELLOGG SANITARY SEWER MODIFICATION. (Districts II and III)

Agenda Report No. 00-0978.

The City Council approved the project on January 25, 2000.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for designing East Kellogg sanitary sewer modification. Portions of the existing sanitary sewer system conflict with the East Kellogg roadway improvements scheduled for construction in the year 2004. The Staff Screening & Selection Committee selected MKEC for the design on July 27, 2000.

Payment will be on a lump sum basis of \$106,100, and will be paid by Sewer Water Utility.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

SUPPLEMENTAL AGREEMENT - DESIGN SERVICES - EXPANDED NORTHEAST WICHITA WAR INDUSTRIES SEWER MAIN. (District II)

Agenda Report No. 00-0979.

On January 7, 1997, The City Council approved a project for sanitary sewer mains to serve future developments and annexed areas as well as relocations due to development. On February 3, 1998, the City Council entered into an Agreement with Mid-Kansas Engineering Consultants, Inc. (MKEC) for the design services to determine the appropriate pipe sizes and design sanitary sewer mains to serve the urban growth/service area which includes an area generally east of Webb Road to 127th Street East, and from north of 17th Street North to 29th Street North.

On January 26, 1999, the City Council approved Supplemental Agreement No. 1 for MKEC to redesign an existing sanitary sewer pump station at Kellogg and Greenwich from a system with an above ground pump to a submersible pump, redesign the pressure pipe lines from the pump station at Kellogg and Greenwich and a new pump station near 21st and K-96 so they are combined into one line along Kellogg, and adding ferrous chemical pumps and a mixing tank at the proposed new pump station near 21st and K-96. The fee was \$26,880.

On November 16, 1999, the City Council approved Supplemental Agreement No. 2 for MKEC to redesign the Kellogg and Greenwich Lift Station (changes will shift the pump station site north of the original site) and to design a 12" Sewer Main along Greenwich to 29th and into the Northeast soccer and baseball field complex. MKEC was also asked to provide construction administration services for the construction of the force mains and both lift stations. The fee was \$169,255.

The proposed Supplemental Agreement between the City and MKEC provides for engineering services to examine the feasibility of using Main 22 and Main 24 of the War Industries Sewers for discharge locations for the northeast pump station; provide construction documents for the northeast pump station; determine methods of flow splitting and adjust plans to reflect property ownership changes adjacent to the Kellogg/Greenwich pump station and Kellogg force main. Supplemental Agreement No. 3 with MKEC has been prepared.

Payment to MKEC for this Supplemental Agreement will increase the total contract by \$80,000 from \$426,795 to \$506,795. The funding source is Sewer Utility.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - BALTHROP ADDITION, NORTH OF CENTRAL, EAST OF GREENWICH. (District II)

Agenda Report No. 00-0980.

The City Council approved the project on December 22, 1998.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Balthrop Addition. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$34,900, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - FOREST LAKES ADDITION, NORTH OF 29TH, WEST OF RIDGE. (District V)

Agenda Report No. 00-0981.

The City Council approved the project on April 2, 1996.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Forest Lakes. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$20,000, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES - SMITHMOOR NINTH ADDITION, SOUTH OF HARRY, WEST OF GREENWICH. (District II)

Agenda Report No. 00-0982.

The City Council approved the project on June 15, 1999.

The proposed Agreement between the City and Austin Miller, P.A. provides for the design of bond financed improvements in Smithmoor Ninth Addition. Per Administrative Regulation 7a, staff recommends the selection of Austin Miller because Austin Miller provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$25,400, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CSBG APPLICATION

REVISED COMMUNITY SERVICE BLOCK GRANT APPLICATION.

Agenda Report No. 00-0983.

At its February 8, 2000 meeting, the City Council authorized the submittal of a Community Services Block Grant (CSBG) application for Fiscal Year 2000 which began April 1, 2000. These funds are used to assist low-income residents and to provide services that have an impact on the causes of poverty.

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Since there was not a CSBG advisory board structure in place when this initial application was due, the Kansas Department of Commerce and Housing - - the State CSBG funding agency - - approved only 25% of the requested grant until the advisory board was established and had input into the community needs assessment section of the application. Subsequently, the CSBG Review Committee was established by the Council as the advisory board for these funds. The Committee has met, has reviewed the 2000 CSBG program, and recommended it for funding.

Activities in the application include clean-up in low-income neighborhoods, summer recreation, health services through Project Access, and payment of costs at the Neighborhood Centers to allow development of the mini-City Hall concept.

The CSBG allocation for Fiscal Year 2000 is \$864,969. No general operating funds from the City's budget are obligated by the application.

The CSBG Review Committee has approved the revised application.

Motion --
-- carried

Knight moved that the revised application be approved; and the City Manager be authorized to file for full funding under the grant, as previously approved. Motion carried 7 to 0.

CONSOLIDATED PLAN HUD CONSOLIDATED PLAN – SUBSTANTIAL AMENDMENT.

Agenda Report No. 00-0984.

On April 4, 2000, the City Council approved the HUD Consolidated Plan, 2000/2001 One-Year Action Plan. The plan included residential historic preservation as an activity. Historic preservation of commercial structures was not included in the One-Year Action Plan, because HUD rules do not permit residential and non-residential structures to be combined in the same activity. No historic loans have been made for commercial properties since 1995, but one loan is now pending. To accommodate the commercial loan request, a substantial amendment is required.

Staff has prepared a substantial amendment to the 2000/2001 One-Year Action Plan to include Non-Residential Historic Preservation Loan activities.

The proposed eligible activity will provide low interest loans for the preservation, restoration and rehabilitation of historically and architecturally significant structures located in the 1919 Wichita City limits within the Neighborhood Revitalization Strategy Areas.

The structure to be rehabilitated must be listed or eligible to be listed in the National Register of Historic Places, listed in a State or local inventory of historic places, or designated as a State or local landmark or historic district by appropriate law or ordinance.

Designated properties will be eligible for loans up to \$25,000 for activities that preserve the historic nature of the property, which have been approved by the State Historic Preservation Office.

HUD regulations require that citizens be allowed 30 days to comment on all substantial amendments to the City's Consolidated Plan. All citizen comments received will be presented to the City Council for consideration before the amendment is adopted. HUD must be notified of approved amendments to the Consolidated Plan before they can be implemented.

Motion --
-- carried

Knight moved that 30-day public comment period be authorized and the substantial amendments, subject to citizen comments received, be approved. Motion carried 7 to 0.

STREET MAINT.

CHANGE ORDER: 2000 CITY CONTRACT STREET MAINTENANCE PROGRAM.

Agenda Report No. 00-0985.

On December 7, 1999, the City Council approved the 2000 Street Maintenance Program. One part of the work is an asphalt mill and overlay project at various locations. To maximize available funds, the project scope was expanded to include parking lots at First and Water, and at Sim Park Golf Course. In addition, the milling of 13th and Oliver Streets revealed pavement failures that required additional work.

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A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$117,947. The funding source is General Fund Reserves.

The Change Order amount is within 25% of the construction Contract cost limit set by the City Council policy.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BUDGET

TRANSFER OF NUISANCE ABATEMENT FUNDS.

Agenda Report No. 00-0986.

The transfer of \$ 21,000 from the Environmental Maintenance Contingency to the Environmental Maintenance Lot Cleanup account is proposed for continuing cleanup efforts. The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and State law allow the City to clean up private property after proper notification of the responsible party. This process is typically used when property has been abandoned or in the case of absentee owners who cannot be located for trial in municipal court. A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment.

Invoices received, to date, total \$ 83,490 for 137 work orders. As of September 22, eight additional work orders had been issued to the contractors, with an estimated cost between \$ 4000 and \$ 6000. Nine more cases have been processed and are awaiting issuance. These seventeen cases will deplete the current fund balance of \$ 9,032 (balance as of September 22.) Staff anticipates that the funds requested for transfer will also be expended by the end of the year.

Available funds in the contingency total \$ 21,000 at present. The Finance Department approved the requested transfer.

Council approval is required for budget adjustments, such as this transfer, in excess of \$10,000.

Motion -- carried

Knight moved that the budget adjustment be approved. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 9000 WEST KELLOGG FOR THE WEST KELLOGG/TYLER & MAIZE HIGHWAY IMPROVEMENT PROJECT. (District V)

Agenda Report No. 00-0987.

In November 1999, the City Council approved Ordinance 44-429 authorizing funding for the Kellogg/Tyler & Maize Highway project. This approval allowed the City to initiate acquisition of total acquisitions. One such property is located at 9000 West Kellogg and is owned by Niche Ventures. The site contains 54,171 square feet and is improved with a 12,589 square foot retail sales facility built in 1996.

The property is valued at \$630,000. The owner has recently built a facility in Topeka and is currently building a replacement facility in Wichita, which are virtually identical to the building being purchased. Based on the actual costs to replace, the owner valued the property at \$850,000. Through negotiation, this amount was reduced to \$725,000. The owner has agreed to sell the property for \$300,000. The property had been approved for condemnation. By settling, the risk of condemnation is avoided. Due to the timing of the project, the site will be cleared when the owner vacates.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be Local Sales Tax revenues. A budget of \$742,000 is requested. This includes \$725,000 for the acquisition, \$15,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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PROPERTY ACQ.

ACQUISITION OF 9028 WEST KELLOGG FOR THE WEST KELLOGG/TYLER & MAIZE HIGHWAY IMPROVEMENT PROJECT. (District V)

Agenda Report No. 00-0988.

In November 1999, the City Council approved Ordinance 44-429 authorizing funding for the Kellogg/Tyler & Maize Highway project. This approval allowed the City to initiate acquisition of total acquisitions. One such property is located at 9028 West Kellogg and is owned by Cecil Schniepp. The site contains 25,000 square feet and is improved with a 8,282 square foot distribution/retail facility.

The property appraised for \$230,000. Since the appraisal was completed in January land values have escalated significantly on West Kellogg. An update of the appraisal indicated a value of \$300,000. The owner has agreed to sell the property for this amount. Do to the nature of the improvements and timing of the project, the site will be cleared when the owner vacates.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be Local Sales Tax revenues. A budget of \$312,000 is requested. This includes \$300,000 for the acquisition, \$10,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

BIKEPATH/LANDSCAPE AMENDING RESOLUTIONS AND ORDINANCE: K-96 BIKEPATH, GYPSUM CREEK BIKEPATHS, I-235 LANDSCAPING, AND BROADWAY, BETWEEN KELLOGG AND DOUGLAS. (Districts I, II, and VI)

Agenda Report No. 00-0989.

The City of Wichita has an ongoing partnership with the Kansas Department of Transportation and the Federal Highway Administration to combine City and Federal funds for transportation related projects. Based on increased construction costs, several of the projects require additional funding.

The project locations are: Gypsum Creek Bikepaths, from Turnpike Drive to Douglas, K-96 Bikepath, from Oliver to the East City Limits, I-235 Landscaping, from 13th Street to Broadway, and Broadway, between Kellogg and Douglas.

The current budgets total \$3,543,000, with \$976,000 paid by the City and \$2,567,000 paid by Federal Grants. The revised budgets total \$4,025,000 with \$1,267,000 paid by the City and \$2,758,000 paid by Federal Grants. The funding source for the City share is General Obligation Bonds. Funding for the increase is being programmed in the 2000 Revised Capital Improvement Program.

Motion -- carried

Knight moved that the Resolutions be adopted and the Ordinance be placed on first reading.

RESOLUTION NO. R-00-352

A Resolution amending Resolution No. R-95-548 of the City of Wichita, Kansas, finding it necessary to make certain improvements to Gypsum Bikepath, Cessna Park to Turnpike Drive and authorizing the issuance of Bonds by the City of Wichita at large, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-353

A Resolution amending Resolution No. R-95-108 of the City of Wichita, Kansas, authorizing the issuance of Bonds by the City of Wichita at large to construct bikepath and landscaping along Gypsum Creek from Cessna Park to Douglas (Project No. 472-82473), presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-354

A Resolution amending Resolution No. R-96-096 of the City of Wichita, Kansas, authorizing the issuance of Bonds by the City of Wichita, Kansas, authorizing the issuance of Bonds by the City of Wichita at large for public improvements to construct a bicycle path along K-96 Expressway, from Oliver to the East City limits (Project No.

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472-82675), presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-355

A Resolution amending Resolution No. R-96-105 of the City of Wichita, Kansas, authorizing the issuance of Bonds by the City of Wichita at large for public improvements for landscaping along I-235 from 13th Street North to Broadway (Project No. 472-82674), presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCE

An Ordinance, An Ordinance amending Ordinance No. 44-213 of the City of Wichita, Kansas, declaring Broadway, from Kellogg to Douglas (472-82412) to be a main trafficway within the City of Wichita, Kansas; declaring certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

ORDINANCE

SECOND READING ORDINANCE: (FIRST READ SEPTEMBER 26, 2000.)

2000-2001 arterial sidewalk and wheelchair ramp program.

ORDINANCE NO. 44-726

An Ordinance declaring Rock Road from 13th Street North to Polo; Oliver, from Morris to Gilbert; Lincoln, from Bluffview to Oliver; 25th Street North, from Amidon to Garland; and wheelchair ramps at various locations (2000/2001 Arterial Sidewalk and Wheelchair Ramp Program) 472-83270, to be main trafficways within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficways; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time.. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PLANNING AGENDA

VAC2000-00016

VAC2000-00016 – REQUEST TO VACATE STREET RIGHT-OF-WAY LOCATED ON OSAGE STREET BETWEEN SECOND STREET AND MCLEAN BOULEVARD. (District IV)

Agenda Report No. 00-0990.

Staff Recommendation: Approve vacation of street right-of-way.
MAPC Recommendation: Approve vacation of street right-of-way. (unanimous)

The applicants are requesting to vacate a portion of Osage Street right-of-way to provide extra surface parking for the adjoining properties. This request is in conjunction with the sale of City property to Fenix Company for expansion of their building and business west of the existing Osage Street right-of-way. The contract for the sale of this property outlines several requirements, conditions, and restrictions, which include, but are not restricted to:

1. There shall be no access between the property and McLean Boulevard,
2. The property shall have a minimum 30-foot building setback from McLean Boulevard right-of-way
3. A minimum 20-foot permanent landscape easement shall be installed on the north 20 feet of the property,
4. The property and parking lot be properly screened, AND that the property shall not have outdoor advertising signs, portable signs, banners, pennants, or string-type lighting.

The ownership of the west half of the right-of-way shall revert to Fenix Company, Inc., Heating and Cooling, while the east half shall be retained by the City of Wichita for use as parking with their facility at 740 W. Second Street.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicants dedicating complete access control along the north boundary of the vacated right-of-way, maintaining landscaping and screening consistent with the properties to the west and east, as stipulated in prior agreements between Fenix Company, Inc., Heating and Cooling and The City of Wichita, submitting by separate instrument a

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joint access agreement between the two adjacent property owners for use of the joint parking area (previously Osage right-of-way), submitting a guarantee for the removal of curb returns along 2nd Street and the construction of a single private shared access driveway, dedicating by separate instrument a utility and drainage easement that includes all the existing street right-of-way, and filing a restrictive covenant that ties the subject parcels together. No written protests have been filed.

A certified copy of the Vacation Order, Dedication of access control, joint access agreement, utility and drainage easement, and restrictive covenant will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that vacation order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED 2000-22

DED 2000-22 – DEDICATION OF UTILITY EASEMENT, NORTH OF CENTRAL, WEST OF ZOO BOULEVARD. (District VI)

Agenda Report No. 00-0991.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of associated Lot Split No. SUB 2000-57 and is being dedicated as a requirement by City Engineering to increase the 16-foot easements to the 20-foot standard.

The Dedication has been reviewed and approved by the Planning Commission.

Motion – carried

Knight moved that Document be accepted. Motion carried 7 to 0.

DED 2000-23

DED 2000-23 – DEDICATION OF ACCESS CONTROL, NORTHEAST CORNER OF WEST STREET AND SOUTHWEST DRIVE. (District IV)

Agenda Report No. 00-0992.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of associated Lot Split No. SUB 2000-67 and is being dedicated for access control except for two openings along West Street.

The Dedication has been reviewed and approved by the Planning Commission.

Motion – carried

Knight moved that Document be accepted. Motion carried 7 to 0.

A 99-33

A 99-33 – ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF 71ST STREET SOUTH, BETWEEN HILLSIDE AVENUE AND THE BIG ARKANSAS RIVER. (District III)

Agenda Report No. 00-0993.

This property is generally located north and south of 71st Street South between Hillside Avenue and the Big Arkansas River. The property proposed for annexation is owned by the City of Wichita.

Land Use and Zoning: This property consists of three contiguous tracts of vacant land, containing approximately 157.14 acres, which abuts the City to the west. The City acquired this property to provide a potential future park site as indicated in the 1996 Wichita-Sedgwick County Parks and Open Space Master Plan. The site is currently zoned “RR” Rural Residential which will convert to “SF-6” Single Family Residential upon annexation. As of March 25, 2000, land to west of the site is zoned “SF-6” Single Family Residential. The site is bordered to the north and east by Arkansas River and to the south by the “Big Ditch”.

Street System: The area proposed for annexation has access to 71st Street South, a two-lane, section line road, which serves the area as the nearest east-west road. The area is also approximately ¼ mile east of Hillside Avenue, which serves as the nearest north-south section line road. Although there have been recent improvements to 71st Street South west of the proposed area, portions of the aforementioned roads bordering the site currently remain unimproved. Furthermore, there are no plans to improve them in either the City of Wichita or Sedgwick County Capital Improvement Programs.

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Public Safety: Under the City-County first response agreement, fire protection can be provided most readily to the area, within an approximate twelve (12) to thirteen (13) minute response time, from Sedgwick County Station #36, located at 6400 S. Rock Road. Upon annexation, police protection will be provided to the area by the Patrol South Bureau of the Wichita Police Department, headquartered at 211 E. Pawnee.

Parks: The site will serve as a future regional park for the residents of south Wichita, an area that lacks neighborhood and community parks.

Comprehensive Plan: The property is located outside the urban growth area of the City of Wichita, as depicted in the 2000 Update to the Comprehensive Plan, recently adopted by the City Council and the County Commission.

The property proposed for annexation is currently vacant with no improvements and is owned by the City of Wichita. Therefore, the property is tax exempt.

Motion -- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A 99-33

AIRPORT AGENDA

AIRPORT PROJECT

AIRFIELD ELECTRICAL VAULT IMPROVEMENTS.

Agenda Report No. 00-0994.

On July 18, 2000, City Council approved selection of Professional Engineering Consultants to design the project.

The airfield electrical vault has experienced flooding, causing the airfield NAVAIDS, runway lights, taxiway lights, and guidance signs to be out of service; impacting the operation of the airport. This flood protecting project will include corrective work on the structure; i.e. modifying windows and vents, raising walls, etc.; exterior drainage; and corrective work on the temperature stabilizing system.

The total cost of the project is estimated to be \$200,000. AIP Federal Grant funds have been accepted to reimburse 90% of eligible expenditures. Matching funds will come from Passenger Facility Charge collections; airport revenues will provide interim funding.

The specification will be approved by the Law Department and the Federal Aviation Administration prior to advertising the project.

Motion --
-- carried

Knight moved that the specification be approved and Staff be authorized to advertise the project for bids. Motion carried 7 to 0.

AIRPORT PROJECT

JOINT RESEAL – COLONEL JAMES JABARA AIRPORT.

Agenda Report No. 00-0995.

The Airport operating budget includes \$75,000 annually for the pavement maintenance program. This amount was planned for Colonel James Jabara Airport in 2000 and for Mid-Continent Airport for 2001.

The airfield at Jabara Airport is in need of joint sealant. Efficiencies will be gained by constructing the larger project at Jabara Airport this year and deferring the work at Mid-Continent Airport.

The cost of the joint reseat at Jabara Airport is \$150,000 and will be funded from the Adopted 2000 operating budget. Offsetting reduction of the 2001 budget will be addressed during the next budget revision cycle.

The specification will be approved by the Law Department prior to advertising for bids.

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Motion --
-- carried

Knight moved that budget adjustment be approved and Staff be authorized to advertise the project for bids. Motion carried 7 to 0.

EXECUTIVE SESSION

Motion --

-- carried

Knight moved that the Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to pending and potential litigation, legal advice; and confidential data relating to financial affairs or trade secrets of a business; and council return from executive session no earlier than 10:45 a.m.

RECESS

The City Council recessed at 10:05 a.m. and returned at 10:48 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT

The City Council meeting adjourned at 10:48.

Pat Burnett CMC
City Clerk